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IN THE UNITED STATES DISTRICT COURT

FOR THE CENTRAL DISTRICT OF CALIFORNIA

STEVIE BRADFORD, an individual; JEFFERY WHITE, an individual; LETICIA MERCADO, an individual; REFUGIO MERCADO, an individual; GLORIA FERREL, an individual; ROBERT FERREL, an individual; KAREN GILMORE, an individual; LARRY MOORE, an individual; STEPHEN CHILDS, an individual; FRANCISCO RAMIREZ, an individual; MARIA RAMIREZ, an individual; MARIA PEREZ, an individual; WAYNE FONTZ, an individual; LOURDES FONTZ, an individual; JOHN LIPONI, an individual; DUNG HO, an individual; JOAN TUCKER, an individual; HAROLD TUCKER, an individual; WALTER LUSK, an individual; JAMES WILLIAMS, an individual; HASSAN ABDALLAH, an individual; MARIA ABDALLAH, an individual; LUIS SOTO, an individual; ARMINE AKCHEIAN, an individual; PETER BALATA, an individual; AGUSTIN (JOHN) LATOSQUIN, an individual; CRAIG FREIS, an individual; CARLA ORTIZ, an individual; MANUEL AMAYA, an individual; ANA JULIA AMAYA, an individual; TERRY STRAW, an individual; STACY STRAW, an individual; OSCAR BOBADILLA, an

Case No. 2:15-cv-05201-GHK
Honorable George H. King

DEFENDANTS' OPPOSITION TO MOTION TO REMAND

[Filed with Request for Judicial Notice]

Date: September 14, 2015
Time: 9:30 a.m.
Dept: 650

Action filed: June 11, 2015
Trial date: None set

individual; JOSE ALVARENGA, an individual; JOSEPH MOORE, an individual; ADELA MOORE, an individual; GEORGE LUCAS, an individual; MARIA ODELL, an individual; ALEJANDRO BASURTO, an individual; CHOR CHUN NGAN, an individual; CARLOS CASTILLO, an individual; ISABEL ARREOLA, an individual; AMAR MALHI, an individual; KULWANT KAUR MALHI, an individual; JULIO SANTA CRUZ, an individual; DANIEL PERAZZO, an individual; DELJEAN STARKS, an individual; EDWARD GONZALES, an individual; BERNICE GONZALES, an individual; BARMWOOD COX, an individual; RUBEN GARCIA, an individual; AMBER KRAUS, an individual; GREG KRAUS, an individual, RAYMOND LUNA, an individual; PAUL RUSCONI, an individual; LARRY BLUFORD, an individual; MICHELLE HARBOUR, an individual; MARY DAVIDSON, an individual; KERALD MITCHELL, an individual; MERCY UMEOKAFOR, an individual; MARTIN LOZANO, an individual; DONALD MILLER, an individual; ALIS NAZIKYAN, an individual; EVA FLOWERS, an individual; CAL BELL, an individual; JAIME SEVILLA, an individual; WILMER Y ABAR, an individual; SALVADOR MARTINEZ, an individual; STEVEN THORNE, an individual; PETE FLORES, an individual; CYNTHIA FLORES, an individual; REYNALDO JAOJOCO, an individual; CORAZON JAOJOCO, an individual; PAT HENNEMANN, an individual; JOHN HENNEMANN, an individual; ROGER GOWRINATHAN, an individual; CARLOS HURTADO, an individual; NORMA NAVARRO, an individual; SCOTT STREISEL, an individual; TRACI JOHNSON, an individual; EMETERIO RODRIGUEZ, an individual; PEDRO PEREZ, an individual; GRISELDA PEREZ, an individual; HERMILO ROBLES GOMEZ, an individual; JOAQUIN REYES, an individual; MONICA GONZALEZ, an individual; MARCELINO ROMAN, an individual;

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Plaintiffs,

vs.

BANK OF AMERICA CORPORATION, a Delaware corporation; authorized to do business in

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California; BANK OF AMERICA, N.A.; BANC OF AMERICA MORTGAGE SECURITIES, INC., not authorized to do business in California; RECONTRUST COMPANY, N.A., and DOES 1 through 100, inclusive,

Defendants.

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Defendants Bank of America Corporation ("BAC"), Bank of America, N.A. ("BANA"), Banc of America Mortgage Securities, Inc. ("BOAMS"), and ReconTrust Company, N.A. hereby oppose Plaintiff Stevie Bradford's Motion for Remand.[1]

I. INTRODUCTION

Because this Court dismissed all Plaintiffs other than Bradford as misjoined in connection with its July 17, 2015, Order to Show Cause (the "OSC"), it must now decide one question on this remand motion: should it retain jurisdiction over Bradford's claims? The answer is yes.

In *Visendi v. Bank of America, N.A.*, 733 F.3d 863 (9th Cir. 2013), the Ninth Circuit held that if all but the first-named plaintiff is dismissed from a properly removed CAFA mass action, the Court should continue to exercise jurisdiction over the sole remaining plaintiff's claims:

> This massive, multi-plaintiff lawsuit is a prototypical mass action subject to removal under CAFA. That the plaintiffs are misjoined does not undermine federal jurisdiction. We therefore reverse the order of the district court, and remand with instructions to dismiss without prejudice the claims of all Plaintiffs but the first named Plaintiff . . . .

Here, BANA properly removed this action as a CAFA mass action because: (1) at least 100 plaintiffs proposed to jointly try their case; (2) the aggregate amount in controversy exceeded CAFA's $5 million threshold; (3) minimal diversity existed; and (4) at least one Plaintiff placed more than $75,000 in controversy. Notwithstanding the Court's post-removal finding of misjoinder, *Visendi* requires it to exercise jurisdiction over Bradford's claims.

[1] Although the remand motion was initially on behalf of all Plaintiffs, given the Court's dismissal of all Plaintiffs other than Bradford, it is now only on behalf of Bradford.

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Although Brown urges this Court to remand the action because "complete diversity does not exist" and the "local controversy" exception applies, Brown's arguments are baseless. CAFA eliminated a complete diversity requirement in favor of a minimal diversity requirement—which exists here. Further, the local controversy exception does not apply because the "principal injuries" alleged in the Complaint are not limited to California and the conduct of the only California citizen, ReconTrust, does not "form[ ] a significant basis for" Bradford's claims.

Accordingly, this Court should deny Bradford's remand motion.

II. THE ALLEGATIONS IN THE COMPLAINT

The Complaint asserts eight causes of action for: (1) consumer relief under a settlement agreement between the United States Department of Justice, the States of California, Delaware, Illinois, Maryland, New York, and Kentucky, on the one hand, and Defendants BAC, BANA, and BOAMS on the other hand (the "DOJ Settlement Agreement"); (2) violations of California Business and Professions Code sections 17200 *et seq.* (the "UCL"); (3) violations the Rosenthal Fair Debt Collection Practices Act, California Civil Code section 1788 (the "RFDCPA"); (4) negligence; (5) negligent misrepresentation; (6) fraudulent misrepresentation; (7) breach of the implied covenant of good faith and fair dealing; and (8) declaratory relief.

Bradford's first claim in the Complaint is directly based on the DOJ Settlement Agreement: it seeks a declaration that Bradford is entitled to some form of relief under the DOJ Settlement Agreement. (Request for Judicial Notice ("RJN") Ex. 1 at 16, Compl. ¶ 19.) Bradford's other claims, except the RFDCPA claim, piggyback off the DOJ Settlement, in that they purport to be based on the facts set forth in the Statement of Facts appended to the DOJ Settlement. (RJN Ex. 1 at 16-17, 20-25, Compl. ¶¶ 22, 37, 43, 50, 59, 64.) They also allege a vague mishmash of purported wrongs relating to debt collection, loan modifications and foreclosure. (*See generally* RJN Ex. 1, Compl.) The Complaint mostly lumps

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Defendants together and it is not clear who allegedly did what. (*See generally* RJN Ex. 1, Compl.)

III. PROCEDURAL HISTORY

On June 11, 2015, 263 Plaintiffs filed this action in Los Angeles County Superior Court.

On July 9, 2015, BANA removed the action to this Court based as a CAFA mass action because: (1) more than 100 Plaintiffs "propose[d] to try their monetary relief claims jointly on the ground that their claims involve common questions of law and fact"; (2) the action met CAFA's minimal diversity requirement; and (3) the action met CAFA's amount in controversy requirements. (Dckt. # 1, Notice of Removal ¶¶ 8-19.)

On July 17, 2015, the Court issued an OSC ordering Plaintiffs to show cause within 14 days "why all but the first named Plaintiff, Stevie Bradford, should not be dismissed without prejudice" as misjoined under Federal Rule of Civil Procedure 20. (Dckt. # 11, OSC 2.)

The Court further ordered Defendants to show cause within seven days of Plaintiffs' response as to why, in the event that the Court finds Plaintiffs' claims misjoined, "this action as to th[e] single [remaining] Plaintiff should not be remanded because it was improperly removed as a 'mass action' under CAFA." (Dckt. # 11, OSC 2.) Both Plaintiffs and Defendants responded to the OSC. (Dckt. ## 14, 16.)

On August 10, 2015, Plaintiffs filed a motion to remand this action to state court. (Dckt. # 17.)

On August 11, 2015, Plaintiffs re-filed the motion to remand because their prior notice did not designate a hearing date. (Dckt. # 19.) All citations to the remand motion will be to this document.

On August 18, 2015, in connection with the OSC, the Court held that Plaintiffs were misjoined and dismissed "all Plaintiffs except Stevie Bradford."

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(Dckt. # 23, Order 5.) In addition, the Court specifically "decline[d] to address" whether it had jurisdiction over Bradford's claim "[i]n light of Plaintiffs pending Motion to Remand." (Dckt. # 23, Order 4.)

IV. THIS COURT SHOULD EXERCISE JURISDICTION OVER BRADFORD'S CLAIMS

The Ninth Circuit's decision in *Visendi* requires this Court to exercise jurisdiction over Bradford's claims. *Visendi* held a "district court's post-removal conclusion that Plaintiffs' claims were improperly joined does not affect the court's jurisdiction." *Id.* at 868 (internal quotations and citation omitted); *see also Haley v. AMS Servicing, LLC*, Civil Case No. 13-5645 (FSH) (JBC), 2014 U.S. Dist. LEXIS 79590, at 24 (D.N.J. Jun. 11, 2014)) ("Because CAFA jurisdiction is determined at the time of removal, the subsequent severance of claims or parties does not affect the jurisdiction of those claims.").

It further held that as long as the CAFA mass action is "properly removed," if the district court finds that the plaintiffs are misjoined, then the proper course of action is to dismiss all but the first-named plaintiff and exercise jurisdiction over that plaintiff's claims:

> This massive, multi-plaintiff lawsuit is a prototypical mass action subject to removal under CAFA. That the plaintiffs are misjoined does not undermine federal jurisdiction. We therefore reverse the order of the district court, and remand with instructions to dismiss without prejudice the claims of all Plaintiffs but the first named Plaintiff . . . .

733 F.3d at 868, 871.

Here, BANA properly removed this action as a CAFA mass action. Federal courts have mass action jurisdiction under CAFA if "there is an aggregate amount in controversy of $5 million or more, at least one plaintiff who is a citizen of a state or foreign state different from that of any defendant, and when monetary relief claims

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of 100 or more persons are proposed to be tried jointly," *Corber v. Xanodyne Pharms., Inc.*, 771 F.3d 1218, 1222-1223 (9th Cir. 2014); *see also* 28 U.S.C. §§ 1332(d)(2), (11), and at least "*one* plaintiff satisfies the $ 75,000 jurisdictional amount requirement of [28 U.S.C. section] 1332(a)," *Abrego v. Dow Chem. Co.*, 443 F.3d 676, 689 (9th Cir. 2006) (emphasis in the original).

At the time of removal, this action met all of these requirements:

- 263 Plaintiffs proposed to try their claims jointly;
- at least one Plaintiff was a California citizen and BANA is a North Carolina citizen;
- the aggregate amount in controversy is at least $50 million; and
- at least one Plaintiff had more than $75,000 in controversy.

(Dckt. #1, Notice of Removal ¶¶ 8-19; Dckt. # 3, Decl. of LaKesha Battle ¶ 7.)

Accordingly, *Visendi* requires this Court to exercise jurisdiction over Bradford's claims.

Bradford advances three arguments in favor of remand. First, he claims that this action was improvidently removed because complete diversity was lacking at the time of removal. Second, he argues that CAFA's local controversy exception applies. Third, he maintains that *Padron v. OneWest Bank*, No. 2:14-cv-01340-ODW(Ex), 2014 U.S. Dist. LEXIS 47947 (C.D. Cal. Apr. 7, 2014) requires Bradford's claims to be remanded after the Court's finding of misjoinder. All of these arguments are baseless.

A. Because This Court's Jurisdiction Is Based on CAFA, Complete Diversity Is Irrelevant

Bradford urges this Court to remand the action because complete diversity is "lacking." (Mot. 4:9.) Bradford misses the mark entirely.

CAFA "replaced the ordinary requirement of complete diversity of citizenship among all plaintiffs and defendants with a requirement of minimal diversity." *Miss. ex rel. Hood v. AU Optronics Corp.*, 134 S. Ct. 736, 740 (2014). Here, minimal

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diversity existed at the time of removal (and exists now) because Bradford and the dismissed Plaintiffs are all California citizens, (Mot. 4:11), and BANA is a North Carolina citizen, (Dckt. # 1, Notice of Removal ¶ 12; Dckt. # 3, Decl. of LaKesha Battle ¶ 7). *See Hood*, 134 S. Ct. at 740 (holding that CAFA's minimal diversity requirement is satisfied if "any member of a class of plaintiffs is a citizen of a State different from any defendant." (internal quotations and citation omitted)).[2]

B. The Local Controversy Exception Does Not Apply

CAFA's local controversy exception, codified at 28 U.S.C. section 1332(d)(4)(A), applies if:

> (1) more than two-thirds of the class are citizens of the forum state;
>
> (2) the principal injuries alleged in the complaint were incurred in the forum state;
>
> (3) at least one defendant, from whom significant relief is sought and whose conduct forms a significant basis for the claims asserted, is a citizen of the forum state; and
>
> (4) during the preceding 3-year period, no other class action was filed asserting the same or similar factual allegations against any defendant on behalf of the same or other persons.

See 28 U.S.C. § 1332(d)(4)(A). Because "the elements of the local controversy exception are enumerated in the conjunctive[,] . . . failure to establish any one of the

[2] Plaintiffs try to confound BANA's citizenship by claiming that it "do[es] business in the State of California and the County of Los Angeles." (Mot. 2:21-2:22.) But BANA is a national bank, (Dckt. #1, Notice of Removal ¶ 12; Dckt. # 3, Decl. of LaKesha Battle ¶ 7), and a national bank is a "citizen only of the state in which its main office is located," not "a citizen of both the state in which its principal place of business is located and the state where its main office is located." *Rouse v. Wachovia Mort., FSB*, 747 F.3d 707, 709 (9th Cir. 2014).

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elements results in the inapplicability of the exception." *Dutcher v. Matheson*, 16 F. Supp. 3d 1327, 1338 (D. Utah 2014).

"The 'local controversy' exception is not jurisdictional," *Visendi*, 733 F.3d at 869, but rather an "exception[ ] to jurisdiction," *Serrano v. 180 Connect, Inc.*, 478 F.3d 1018, 1023 (9th Cir. 2007). Therefore, the party invoking the exception "bears the burden of proof as to [its] applicability." *Id.* at 1024; *see also Kuxhausen v. BMW Fin. Servs. NA LLC*, 707 F.3d 1136, 1139 n.1 (9th Cir. 2013) ("[T]he obligation to raise and prove that . . . the. . . 'local controversy'[exception] [applies] . . . rests on the party seeking remand."). The burden of proof extends to "each of the Local Controversy Exception's four conjunctive parts." *Dunn v. Endoscopy Ctr. of S. Nev.*, Case No.: 2:11-cv-00560-RLH-PAL, 2011 U.S. Dist. LEXIS 129419, at 9 (D. Nev. Nov. 7, 2011).

Finally, "the local controversy exception [is] 'narrow,' with all doubts resolved in favor of exercising jurisdiction over the case." *Woods v. Std. Ins. Co.*, 771 F.3d 1257, 1265 (10th Cir. 2014) (internal quotations and citations omitted).

Bradford fails to demonstrate the applicability of the local controversy exception in this case.

1. Bradford Does Not Carry His Burden Of Proving The Applicability Of The Local Controversy Exception

Bradford makes no serious effort to meet his burden of proving the applicability of the local controversy exception. Instead of providing real analysis as to all elements of the exception, he parrots part of the statutory language:

> This Court should apply the "Local Controversy exception to federal jurisdiction because ReconTrust . . . is a California citizen, its conduct forms a significant basis for the claims of this case and thus Plaintiffs are seeking significant relief from ReconTrust, and the injuries occurred in California.

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(Mot. 4:16-4:21.)[3]

Bradford's lack of any meaningful attempt to prove the applicability of the local controversy exception is enough to reject his attempt to invoke it. But even if Bradford had made a more serious effort at proving the applicability of the exception, he would still have failed because this case meets neither the exception's "principal injuries" prong nor its "significant defendant" prong.

2. The "Principal Injuries" Prong

The local controversy exception's "principal injuries" prong requires that the "principal injuries resulting from the alleged conduct were incurred in the State in which the action was originally filed." 28 U.S.C. § 1332(d)(4)(A)(III). "The term 'principal injuries[ ]' . . . is not well defined. However, courts have rejected the application of this exception when the conduct and injuries are alleged to be nationwide, even if the proposed class is limited to citizens of a single State." *Marino v. Countrywide Fin. Corp.*, 26 F. Supp. 3d 949, 954 (C.D. Cal. 2014).

This Court's decision in *Marino* is instructive. Plaintiff filed that class action in state court, alleging causes of action based on defendants' "[mortgage] lending practices." *Marino*, 26 F. Supp. 3d at 951. After defendants removed the action under CAFA, plaintiff argued that the court was required to remand the case under the local controversy exception because "there were no allegations that injuries were incurred outside California." *Id.* at 955.

The court rejected plaintiff's argument, holding that because "the alleged conduct—issuing loans—was national in scope[,] . . . California was but one market where" the alleged harm occurred. *Id.* "Plaintiff [could not] meet his burden as to

[3] Plaintiffs do not even bother addressing certain prongs of the "local controversy" exception, such as whether any other similar class actions have been filed against any of the Defendants. *See* 28 U.S.C. § 1332(d)(4)(ii)). It is highly likely that such class actions exist.

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'principal injuries' simply by focusing on California and ignoring other markets." *Id.*

Other district courts in the Ninth Circuit have similarly held that the "principal injuries" prong is not satisfied if the alleged conduct and injuries span several states:

- *Villalpando v. Exel Direct Inc.*, C-12-04137 JCS, 2012 U.S. Dist. LEXIS 160631, at 35-36 (N.D. Cal. Nov. 8, 2012) ("There is nothing unique to California about the claims asserted in this action, even if the class is limited to Plaintiffs who provide delivery services in California and the claims in the action are based on California law. . . . Rather, Defendants are vulnerable to similar claims in other states . . . . Therefore, the Court concludes that the 'Local Controversy' exception does not apply.").
- *Waller v. Hewlett-Packard Co.*, Case No. 11cv0454-LAB (RBB), 2011 U.S. Dist. LEXIS 50408, at 13-14 (S.D. Cal. May 10, 2011) ("Plaintiff's action is local only in the trivial and almost tautological sense that the definition of the putative class and the legal bases of the asserted claims make it so. Courts have routinely looked beyond these formalities — and looked to the nature and scope of the alleged wrong — and rejected a plaintiff's invocation of the local controversy exception that relies on them. . . . [T]he broader point here is that the SimpleSave hard drives were marketed and sold nationwide, Plaintiff alleges nothing wrongful about their marketing and sale that is peculiar to California, and there is no reason to believe that the Defendants aren't vulnerable to suit on very similar grounds beyond California. That isn't characteristic of a local dispute.").
- *Kearns v. Ford Motor Co.*, No. CV 05-5644 GAF(JTLX), 2005 U.S. Dist. LEXIS 41614, at 40 (C.D. Cal. Nov. 21, 2005) (holding that the "local controversy" exception does not apply, even though the class was limited

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to Californians, because the certified pre-owned vehicle program at issue was "marketed nationwide" and "any injuries would have been suffered by consumers throughout the country").

Here, Bradford cannot show that the conduct and injuries alleged in the Complaint are limited to California. Seven of the Complaint's eight claims are predicated on the DOJ Settlement and the allegedly wrongful lending practices that gave rise to the DOJ Settlement. (RJN Ex. 1 at 16-17, 20-25, Compl. ¶¶ 22, 37, 43, 50, 59, 64.) Those alleged lending practices, and the injuries supposedly resulting from them, are not limited to California, but rather are national in scope. This is evidenced by the fact that the DOJ Settlement is not only with the State of California, but also with the "United States . . . [and] the States of . . . Delaware, Illinois, Maryland, New York, and Kentucky." (RJN Ex. 1 at 14, Compl. ¶ 13.) Further, nothing in the Statement of Facts annexed to the DOJ Settlement suggests that the lending and securitization practices that form the basis of the DOJ Settlement and the claimed injuries here are limited California; to the contrary, it is evident from the Statement of Facts the alleged practices that purportedly caused the injuries in this case are national in scope. (RJN Ex. 1 at 29-58, Compl. Ex A.) In fact, Bradford's own allegations make it clear that Defendants' business practices at issue are not California-specific, but rather "company-wide." (RJN Ex. 1 at 8, Compl. ¶ 2.)

3. The "Significant Defendant" Prong

The "significant defendant" prong requires that the local defendant, in this case ReconTrust, is one "from whom significant relief is sought by members of the plaintiff class" and "whose alleged conduct forms a significant basis for the claims asserted by the proposed plaintiff class." 28 U.S.C. § 1332(d)(5)(i)(II)(aa)-(bb). Bradford establishes neither requirement.

With respect to the "significant relief" requirement, Bradford identifies ReconTrust as the "foreclosing arm of Bank of America." (Compl. ¶ 8.) But the

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allegedly wrongful activity in the Complaint centers on origination and servicing—activities in which ReconTrust concededly had no involvement. Although Bradford simply lumps all Defendants together in their Prayer for Relief , this is insufficient to meaningfully establish that they seek "significant relief" from ReconTrust.

With respect to the "significant basis" requirement, determining whether a defendant's alleged conduct forms a significant basis of the claims in the lawsuit "effectively calls for comparing the local defendant's alleged conduct to the alleged conduct of all the Defendants." *Kaufman v. Allstate N.J. Ins. Co.*, 561 F.3d 144, 156 (3d Cir. 2009). "If the local defendant's alleged conduct is a significant part of the alleged conduct of all the Defendants, then the significant basis provision is satisfied. Whether this condition is met requires a substantive analysis comparing the local defendant's alleged conduct to the alleged conduct of all the Defendants." *Id*.

Here, Bradford does not offer any substantive comparison of ReconTrust's conduct versus the other Defendants. His remand motion only parrots the statute: "Recontrust['s] . . . conduct forms a significant basis for the claims of this case and this Plaintiffs are seeking significant relief from ReconTrust." (Mot. 4:18-4:20.)

The Complaint is equally unhelpful to Bradford. Although the Complaint concedes that ReconTrust's supposedly wrongful activities are limited to foreclosure, (Compl. ¶ 8), it offers no information about which, if any, Plaintiffs have been foreclosed, (*see generally* Compl.) Moreover, the Complaint mostly lumps all Defendants together and asserts a vague mishmash of wrongdoing against them without explaining who supposedly did what. (*See generally* Compl.) The only claim that singles out ReconTrust is the RFDCPA claim, but that is only one of eight claims.

Under these circumstances, Bradford does not establish that ReconTrust's conduct is a significant basis of the claims in the Complaint. *See Evan v. Walter Indus.*, 449 F.3d 1159, 1167 (11th Cir. 2006) ("With respect to whether the conduct

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of defendant 'forms a significant basis' for the plaintiffs' claims, plaintiffs' evidence offers no insight into whether [defendant] played a significant role in the alleged contamination, as opposed to a lesser role, or even a minimal role. The evidence does not indicate that a significant number or percentage of putative class members may have claims against [defendant], or indeed that any plaintiff has such a claim.").

C. This Court Should Not Remand Bradford's Claims Based On *Padron*

Finally, Bradford urges this Court, upon a finding of misjoinder, to "follow . . . [*Padron*] and remand Stevie Bradford's case to Los Angeles Superior Court." (Mot. 5:11-5:12.) But *Padron* is not binding authority, *Visendi* is. As discussed extensively above, because this action was properly removed as a CAFA mass action, *Visendi* requires this Court to exercise jurisdiction over Bradford's claim after dismissing the other Plaintiffs based on misjoinder. *See supra*, Part 4, pp. 4-5.

V. CONCLUSION

This Court has CAFA mass action jurisdiction over this action and Plaintiffs have not demonstrated otherwise. Nor have Plaintiffs shown that CAFA's local controversy exception applies. As such, this Court should deny Plaintiffs' remand motion and exercise jurisdiction over Bradford's claims.

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